

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	600-12-DIV5
First Inventor	Johnson
Title	Alkyl or Aryl Substituted
Express Mail Label No.	EV183373822US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

22141 U.S. PTO  
10/31/48

120903

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 240]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
- Oath or Declaration [Total Sheets 6]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ Paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/314,758

Prior application information:

Examiner Aulakh, CharanjitArt Unit: 1625

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number: 36185 OR ☒ Correspondence address below

Name	Gabor L. Szekeres				
Address	8141 E. Kaiser Boulevard				
	Suite 112				
City	Anaheim Hills	State	Ca	Zip Code	92808
Country	USA	Telephone	714-998-3295	Fax	714-998-3296

Name (Print/Type)	Gabor L. Szekeres	Registration No. (Attorney/Agent)	28,675
Signature	<u>Gabor L. Szekeres</u>	Date	<u>Dec 9, 2003</u>

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 770.00

**Complete if Known**

Application Number	Unknown
Filing Date	
First Named Inventor	Johnson, et al.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	600-12-DIV5

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

01-0885

ALLERGAN, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ ) 770.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ )**SUBMITTED BY**

Name (Print/Type)

Robert J. Baran

Registration No.  
(Attorney/Agent)

25,806

(Complete (if applicable))

Telephone

714-246-4669

Signature

RJB Baran

Date

12/5/03

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

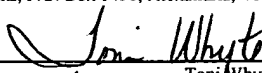
In re Application	)	
	)	Parent Case Examiner: C.S. Aulakh
Alan T. JOHNSON, et al.	)	
	)	Art Unit: 1625
Serial No.: Unknown	)	
	)	
Filed: Herewith	)	
	)	
For: Alkyl or Aryl Substituted	)	
Dihydronaphthalene Derivatives Having	)	
Retinoid and/or Retinoid Antagonist-Like	)	
Biological Activity	)	

## FILING UNDER 37 CFR 1.53(b) and 1.78(a)

## Certificate of Express Mailing

Mail Stop New Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited on December 9, 2003 with the United States Postal Service under 37 C.F.R. 1.10, as "Express Mail," Label No. EV 183373822 US, Post Office to Addressee in an Express Mail envelope addressed to Mail Stop New Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
 Toni Whyte  
December 9, 2003  
 Date

Dear Sir:

This is a request for filing a Divisional application under 37 C.F.R. 1.53(b) and 1.78(a), of pending application serial no. 10/314,758, filed December 9, 2002, of Alan T. JOHNSON, et al. for Alkyl or Aryl Substituted Dihydronaphthalene Derivatives Having Retinoid and/or Retinoid Antagonist-Like Biological Activity, which is itself a divisional of application serial no. 10/141,655, filed May 8, 2002, which itself is a divisional of pending prior application serial no. 09/550,952 filed April 17, 2000, which itself is a divisional of pending prior application serial no. 09/057,386, filed April 8, 1998, which itself is a divisional of pending prior application serial no. 08/667,663, filed June 21, 1996.

**CERTIFICATION UNDER 37 C.F.R. 1.10**

I hereby certify that this 37 C.F.R. 1.53(b) and 1.78(a) request and the documents referred to as attached herein are being deposited with the United States Postal Service on this date December 9, 2003 in an Express Mail envelope marked "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, Mailing Label No. EV183373822US, addressed to:

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. **Statement that the Attached is a True Copy of the Prior Application as Filed:**

The undersigned hereby verified that the attached papers are a true copy of what is shown in my records to be the above-identified prior "Parent" application, U.S. Serial No. 10/314,758, filed December 9, 2002.

The attached copy of the prior "parent" application as filed includes the following:

233 page(s) of Specification;  
6 page(s) of Claims;  
1 page of Abstract;  
0 page(s) of Drawing(s);  
6 page(s) of Declaration and Power of Attorney as filed (executed)

2. **Amendments**

In accordance with the Preliminary Amendment submitted herewith, please cancel original Claims 3, 4, 10, 11, 16-20; please amend Claims 1, 2, 6 and 9 before calculating the filing fee.

3. **Fee Calculation**

**CLAIMS AS FILED**

Number of Claims Filed		Number of Extra Claims		Times the	Rate	Basic Fee	\$770.00
<b>TOTAL</b>							
Claims Filed	11 - 20	0	X		\$18.00		\$0.00
Independent							
Claims Filed	2 - 3	0	X		\$84.00		\$0.00
Multiple							
Dependent			X		\$		\$
<b>Filing Fee Total</b>							
<b>Calculation</b>							<b>\$770.00</b>

4. Fee Payment

Please charge Deposit Account No. 01-0885 for all filing fees indicated above, as well as for any discrepancies that may occur. According to the Fee Transmittal form PTO/SB/17 (10-03) filed concurrently herewith.

5. Power of Attorney, Appointment of Associate Attorney, Under Rule 1.34(b)

The power of Attorney in the prior application is to Martin A. Voet, Registration No. 25,208; Robert J. Baran, Registration No. 25,806; Carlos Fisher, Registration No. 36,510; Stephen Donovan, Registration No. 33,433; and Gabor L. Szekeres, Registration No. 28,675.

Please address all future communications to:

Law Offices of Gabor L. Szekeres  
8141 E. Kaiser Blvd., Suite 112  
Anaheim Hills, California 92808  
Telephone: (714) 998-3295  
Facsimile: (714) 998-3296

Respectfully submitted,

Date: \_\_\_\_\_

December 9, 2003

Gabor L. Szekeres

Gabor L. Szekeres, Registration No. 28,675  
Attorney for Applicant

Law Offices of Gabor L. Szekeres  
8141 E. Kaiser Boulevard, Suite 112  
Anaheim Hills, California 92808  
Telephone: (714) 998-3295  
Facsimile: (714) 998-3296